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CR No.7420 of 2025

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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Civil Revision No.7420 of 2025
Date of decision: April 20th, 2026

Sohan Singh (since deceased) through his LR's and others

.....Petitioners

Versus

Gram Panchayat village Shergarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Abhishek Singla, Advocate
for the petitioners.

Mr. Tarun Singla, Advocate
for the respondent.

VIKAS BAHL, J. (ORAL)

1. This is a civil revision petition under Article 227 of the Constitution of India for setting aside the impugned order dated 13.08.2025 passed by Additional Civil Judge (Senior Division), Talwandi Sabo, whereby application dated 15.07.2025 filed by the respondent-Gram Panchayat has been decided *ex parte*.

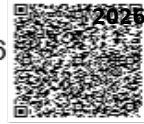
2. On 12.11.2025, a coordinate Bench of this Court was pleased to pass the following order:

*“Present: Mr. Abhishek Singla, Advocate and
Ms. Anchal Singla, Advocate
for the petitioners.

*The petitioners, Sohan Singh and others,
have filed the present Civil Revision Petition under
Article 227 of the Constitution of India for setting aside
the impugned order dated 13.08.2025 (Annexure P-7)
passed by the learned Additional Civil Judge (Senior*



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Division), Talwandi Sabo, whereby the application filed by the respondent-defendant under Section 151 CPC seeking directions to the concerned revenue officials for deletion of Rapat No. 388 dated 19.04.2021 has been allowed.

As per the record, the respondent-Gram Panchayat had filed an application dated 04.04.2012 before the learned Collector-cum-Sub Divisional Magistrate seeking redemption of land, which was allowed on 27.11.2012. The said order was challenged by the present petitioners-plaintiffs by filing Civil Suit No. 17 dated 15.07.2013 against the respondent-Gram Panchayat. The learned Additional Civil Judge (Senior Division), Talwandi Sabo, vide judgment dated 08.05.2017 (Annexure P-1), partly decreed the suit and restrained the respondent-Gram Panchayat from taking possession of the suit land on the basis of the order dated 27.11.2012. Accordingly, Rapat No. 388 dated 19.04.2021 was entered in the jamabandi for the year 2021-2022.

Thereafter, the respondent-Gram Panchayat filed another application dated 15.03.2022 before the Collector-cum-Sub Divisional Magistrate, Talwandi Sabo for redemption of land measuring 54 Kanals 0 Marla, which was allowed vide order dated 08.09.2023 (annexure P-3). Aggrieved by the said order, the petitioners filed a Civil Suit dated 26.03.2025 (Annexure P-4) before the learned Civil Judge (Junior Division), Talwandi Sabo, which is pending adjudication. The respondent-Gram Panchayat appeared therein, and as per interim order dated 22.09.2025, the case was fixed for filing of the written statement by the respondent.

During the pendency of the said civil suit,



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the respondent-Gram Panchayat filed an application under Section 151 CPC seeking directions to the revenue officials for deletion of Rapat No. 388 dated 19.04.2021 from the jamabandi. The learned Additional Civil Judge (Senior Division), Talwandi Sabo, vide order dated 13.08.2025, allowed the said application and directed the concerned revenue officials to delete Rapat No. 388 dated 19.04.2021 from the jamabandi for the year 2021-2022,

Heard.

This Court is of the considered view at this stage, that since the order dated 08.09.2023 has already been challenged by the petitioners-plaintiffs and the matter was sub judice, it was incumbent upon the learned Additional Civil Judge (Senior Division), Talwandi Sabo, to issue notice to the petitioners-plaintiffs before passing any order on the application for deletion of Rapat No. 388 dated 19.04.2021. However, no such notice was issued and the impugned order dated 13.08.2025 was passed ex parte. If the impugned order is implemented, it would cause irreparable loss and injury to the petitioners-plaintiffs, resulting in their dispossession from the suit property.

Accordingly, operation of the impugned order dated 13.08.2025 (Annexure P-7) shall remain stayed till the next date of hearing.

Notice of motion for 18.12.2025.”

3. Learned counsel for the petitioners has reiterated that the impugned order has been passed without even granting an opportunity of hearing to the petitioners.



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4. Learned counsel for the respondent-Gram Panchayat, on instructions from the Sarpanch, Gram Panchayat, who has duly authorized the counsel to make statement which authorization has been appended by the counsel along with his power of attorney and is taken on record as Mark 'A', has submitted that since no opportunity of hearing was granted to the petitioners, thus, the respondent-Gram Panchayat has no objection in case the impugned order is set aside but has further submitted that a fresh order be passed by the trial Court on the application under Section 151 CPC filed by the respondent-Gram Panchayat after hearing both the parties concerned. It is submitted that the allowing of the present petition should not be construed as an expression on the merits of the case and the trial Court be directed to decide the case independently after hearing the parties.

5. Keeping in view the abovesaid facts and circumstances and the fair stand taken by the counsel for the petitioners as well as counsel for the respondent-Gram Panchayat, the impugned order dated 13.08.2025 is set aside and the trial Court is directed to decide the application filed under Section 151 CPC by the Gram Panchayat afresh after hearing all the parties concerned. The passing of the present order should not be constructed as an expression on the merits of the case and the trial Court would decide the application independently in accordance with law.

April 20th, 2026
Puneet

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No